

By the Committee on Transportation; and Senator Wright

596-02668-24

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1 A bill to be entitled
2 An act relating to utility terrain vehicles; creating
3 s. 316.21275, F.S.; defining terms; authorizing a
4 utility terrain vehicle (UTV) to be operated during
5 all hours; authorizing the operation of UTVs on
6 certain roadways; authorizing the operation of UTVs on
7 certain parts of the State Highway System only under
8 specified conditions; authorizing the Department of
9 Transportation to prohibit the use of UTVs under
10 certain circumstances; authorizing persons possessing
11 certain licenses to operate a UTV; requiring owners or
12 operators of a UTV to follow certain regulations and
13 requirements; authorizing a county or municipality to
14 restrict the operation of UTVs under certain
15 circumstances; providing penalties; amending s.
16 320.0847, F.S.; requiring the department to issue a
17 license plate to the owner or lessee of a vehicle
18 registered as a UTV upon payment of certain taxes and
19 fees; requiring that license plates for UTVs comply
20 with specified provisions; providing an effective
21 date.

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23 Be It Enacted by the Legislature of the State of Florida:

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25 Section 1. Section 316.21275, Florida Statutes, is created
26 to read:

27 316.21275 Operation of a UTV on certain roadways.—

28 (1) As used in this section, the term:

29 (a) "Direct supervision" means a licensed driver is in the

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30 adjacent front passenger seat of the UTV being operated.

31 (b) "Utility terrain vehicle" or "UTV" means a vehicle less
32 than 70 inches in width which has at least two seats allowing
33 passengers to sit in a side-by-side manner, is operated by foot
34 controls and a steering wheel, and is equipped with headlamps,
35 stop lamps, turn signals, tail lamps, rearview mirrors, a
36 windshield, seat belts, and a horn.

37 (2) A UTV, may be operated during all hours.

38 (3) A UTV may be operated only upon:

39 (a) A two-lane county road with a posted speed limit of
40 less than 55 miles per hour which has been designated by a
41 county; or

42 (b) A two-lane municipal street with a posted speed limit
43 of less than 55 miles per hour which has been designated by a
44 municipality.

45
46 Before making such designation, the responsible county or
47 municipality must first determine that a UTV may safely travel
48 on or cross the public road or street, considering factors
49 including the speed, volume, and character of motor vehicle
50 traffic using the road or street.

51 (4) A UTV may be operated only on a part of the State
52 Highway System necessary to cross the highway at an angle of
53 approximately 90 degrees to the direction of the roadway and at
54 a place where a quick and safe crossing can be made. The
55 Department of Transportation may prohibit the operation of UTVs
56 on any road in its jurisdiction if it determines that such
57 prohibition is necessary in the interest of safety.

58 (5) A UTV may only be operated by a person possessing a

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59 driver license pursuant to s. 322.18, or a person possessing a
60 learner's driver license pursuant to s. 322.1615 and who is
61 under the direct supervision of a licensed driver.

62 (6) The owner or operator of a UTV must comply with all of
63 the following requirements and regulations:

64 (a) Obey traffic regulations enumerated in this chapter and
65 operate his or her UTV with due care.

66 (b) Provide proof of ownership under chapter 317 upon
67 request of a law enforcement officer.

68 (c) Fulfil all insurance requirements pursuant to s.
69 324.022.

70 (d) Ensure that the UTV has the proper license plate
71 pursuant to s. 320.0847.

72 (7) A county or municipality may enact an ordinance
73 regarding UTV operation and equipment which is more restrictive
74 than those requirements enumerated in this section.

75 (8) A county or municipality may prohibit the operation of
76 a UTV on any road under its jurisdiction if the governing body
77 of such county or municipality determines that such prohibition
78 is necessary in the interest of safety.

79 (9) A violation of this section is a noncriminal traffic
80 infraction, punishable as a nonmoving violation, as provided in
81 chapter 318.

82 Section 2. Section 320.0847, Florida Statutes, is amended
83 to read:

84 320.0847 Mini truck, utility terrain vehicle, and low-speed
85 vehicle license plates.—

86 (1) The department shall issue a license plate to the owner
87 or lessee of any vehicle registered as a low-speed vehicle as

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88 defined in s. 320.01, ~~or~~ a mini truck as defined in s. 320.01,
89 or a utility terrain vehicle as defined in s. 316.21275 upon
90 payment of the appropriate license taxes and fees prescribed in
91 s. 320.08.

92 (2) The license plate for a low-speed vehicle, ~~or~~ mini
93 truck, or utility terrain vehicle shall comply with the
94 provisions of s. 320.06.

95 Section 3. This act shall take effect July 1, 2024.